

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION

CIVIL CASE NO. 1:10cv211

RONALD E. PATTON,)
)
Plaintiff,)
)
vs.) O R D E R
)
MICHAEL J. ASTRUE,)
Commission of Social Security,)
)
Defendant.)
)

THIS MATTER is before the Court on the Plaintiff's Application to Proceed in District Court without Prepaying Fees or Costs [Doc. 2], as enhanced by his Clarification of Financial Resources. [Doc. 4].

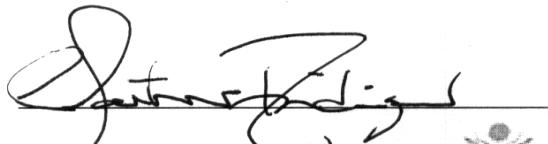
The Plaintiff has submitted an affidavit and subsequent clarifying letter in which he discloses that he is in jail where he has no expenses and earns a de minimus income from work. He controls and has access from jail to his bank account which has a balance in excess of \$5000.00. The expenses of his dependents are met by the Department of Social Services. The Court finds that the Plaintiff has sufficient assets to pay the filing fee.

IT IS, THEREFORE, ORDERED that the Plaintiff's Application to

Proceed in District Court without Prepaying Fees or Costs [Doc. 2], as enhanced by his Clarification of Financial Resources [Doc. 4] is hereby **DENIED**.

IT IS FURTHER ORDERED that the Plaintiff shall pay the filing fee on or before thirty (30) days from entry of this Order. Failure to do so will result in the action being dismissed without prejudice and without further Order.

Signed: November 16, 2010



Martin Reidinger
United States District Judge



SEALED DOCUMENT with access to All Parties/Defendants